

U.S. PTO Customer No. 25280

Case No.: 5335

REMARKS

Claim 1 has been amended to include the limitation that the multiphase fluorochemical comprises a "dual action" fluorochemical defined as a fluorochemical that has hydrophobic properties under a first condition and hydrophobic properties under a second condition. Support for this amendment can be found in the specification page 3 lines 3-6 and page 4 lines 8-16. Claim 32 was added to specify that the first and second conditions are different temperatures. Support may be found on page 4, lines 12-14. Claim 4 has been amended to include the limitations of claim 6 and claim 6 has been canceled. Claim 14 has been amended to include the limitations of original claim 4. Amended claims 4 (includes original claim 6) and claim 14 have been written in independent form including all of the limitations of the base claim. Independent claims 16-19 have been canceled and rewritten in dependant form as claims 20-23 on independent claim 1 and as 24-27 on independent claim 4. Claims 28-31 have been written as dependants on claim 14 and mirror claims 10-13 on independent claim 4.

Claims 1,2,4,5, and 7-13 stand rejected under 35 U.S.C. 102(e) as being anticipated by Frankenbach et al. (2005/0098759). According to the Examiner, Frankenbach discloses a composition to control wrinkles applied onto fabrics which

"...comprises fluorocarbon surfactants wherein the hydrophobic part of the amphiphile comprises at least in part some portion of a carbon-based linear or cyclic moiety having fluorines attached to the carbon where typically hydrogens would be attached to the carbons together with a hydrophilic head group."

It is believed that the newly amended claims are clearly distinct over the patent of Frankenbach et al. Newly amended claim 1 has the limitation of the multiphase fluorochemical being a "dual action" fluorochemical. A "dual action" fluorochemical is defined in the specification (page 4 lines 8-16) as a fluorochemical that has hydrophilic properties under a first condition and hydrophobic properties under a second condition. An example of this is found on page 4, lines 11-14,

"Typically, the two conditions changing the properties of the "dual action" fluorochemical related to the temperature. For example, the "dual action" fluorochemical can exhibit hydrophobic properties at room temperature, and hydrophilic properties at an elevated temperature."

Frankenbach teaches a surfactant that has a hydrophilic section and a hydrophobic section that remain constant. Frankenbach does not teach nor suggest a multiphase fluorochemical that changes in hydrophilicity and hydrophobicity of the under different conditions.

In view of the forgoing amendments and remarks, the Examiner is respectfully requested to withdraw the outstanding rejection and to pass the subject application to Allowance.